

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

\* \* \* \* \*

Michael Grimmett,

Plaintiff,

vs.

ORDER

Minnesota Department of  
Corrections, et al.,

Defendants.

Civ. No. 12-943 (JNE/LIB)

\* \* \* \* \*

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter, it is --

ORDERED:

Defendants' Motion to Dismiss [Docket No. 9] is **GRANTED** in part and **DENIED** in part.

BY THE COURT:

DATED: December 6, 2012

s/Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge